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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/126,683	07/30/1998	BRUCE ANTHONY BEADLE	AT9-98-303	9195
35525	7590	04/09/2004	EXAMINER	
DUKE W. YEE CARSTENS, YEE & CAHOON, L.L.P. P.O. BOX 802334 DALLAS, TX 75380			ANYA, CHARLES E	
			ART UNIT	PAPER NUMBER
			2126	14

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/126,683

Applicant(s)

BEADLE ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 10-26 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 10,12,13,18,19,21,22 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 5,848,423 to Ebrahim et al.**

4. As to claim 10, Ebrahim teaches a process for providing a privilege for a method of a current thread that is currently executing in a run-time environment in a data processing system, the run-time environment having a stack comprising stack frames with stack frame pointers for associated methods, the process comprising the computer-implemented steps of: using a thread identifier of the current thread, locating a linked list; and searching the linked list for an entry having a stack frame pointer that matches the stack frame pointer of the method, wherein an entry of the linked list is a stack frame extension (figure 5/7 Col. 9 Ln. 60 – 67, Col. 10 Ln. 1 – 55).

5. As to claim 12, Ebrahim teaches the process of claim 10 wherein a stack frame extension comprises the stack frame pointer of the method, privilege information, and validation information (figure 5 Col. 10 Ln. 16 – 31).

6. As to claim 13, Ebrahim teaches the process to claim 12 wherein the validation information comprises the name of the method, the signature of the method, the return address of the method (figure 3B Col. 6 Ln. 66 - 67, Col. 7 Ln. 1 – 17).

7. As to claim 18, Ebrahim teaches a data structure on a computer-readable medium for use in a data processing system, the data structure comprising: a set of stack frame extensions, wherein a stack frame extension comprises: pointer to a stack frame for a method, data field for privilege data for the method, data field for validation data for the method and a linked list of stack frame extension entries, wherein the linked list is identifiable by a thread identifier (figure 5/7 Col. 10 Ln. 22 – 42).

8. As to claims 19 and 26, see the rejection of claim 10.

9. As to claim 21, see the rejection of claim 12.

10. As to claim 22, see the rejection of claim 13.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 11,14,20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,848,423 to Ebrahim et al. in view of U.S. Pat. No. 6,493,816 B1 to Munroe et al.**

13. As to claim 11, Ebrahim is silent with respect to the process of claim 10, wherein the step of locating a linked list further comprises: locating the linked list within a stack frame shadow apparatus comprising a plurality of linked lists, each linked list of the plurality of linked lists being associated with a thread.

14. Munroe teaches the process of claim 10, wherein the step of locating a linked list further comprises: locating the linked list within a stack frame shadow apparatus comprising a plurality of linked lists, each linked list of the plurality of linked lists being associated with a thread (Virtual Storage System 124 Col. 11 Ln. 21 – 56, Col. 12 Ln. 48 – 44).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Munroe and Ebrahim because the

Art Unit: 2126

teaching of Munroe would improve the system of Ebrahim by providing data address management (Munroe Col. 11 Ln. 21 – 25).

16. As to claim 14, Munroe teaches the process of claim 10 further comprising: adding an entry to the linked list if no matching entries are found in response to a request to enable a privilege for the method (Col. 13 Ln. 1 – 10).

17. As to claim 20, see the rejection of claim 11.

18. As to claim 23, see the rejection of claim 14.

Allowable Subject Matter

19. Claim 17 is allowed.

20. Claims 15,16,24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

21. Applicant's arguments with respect to claims 10-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2126

cea



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